

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

Amanda Ciganik

Case No:

Plaintiff,

vs.

GC Services Limited Partnership

Defendant.

COMPLAINT

I. JURISDICTION

1. Jurisdiction of this Court arises under 28 U.S.C. § 1331 and 15 U.S.C. § 1692k(d).

II. PARTIES

2. Plaintiff is a natural person who resides in Allegheny County, Western District of Pennsylvania.

3. Plaintiff is a consumer within the FDCPA.

4. Plaintiff allegedly incurred a debt within the FDCPA.

5. Defendant holds itself out to the public as a collection agency.

6. Defendant is a debt collector within the FDCPA.

7. Defendant engaged in, approved of, and/or ratified the illegal conduct described herein.

8. At all times relevant hereto, Defendant's employees and/or agents were acting in the scope, purpose and authority of such agency, service, employment, and/or

other representative capacity with the permission, knowledge, consent and ratification of the Defendant.

IV. FACTS

9. On December 13, 2008 at 11:45 a.m., the Plaintiff received the following message:

Hi. This message is for Amanda Meneo or John The Third. My name is Lamont Davenport. When you get this message I need one of you guys to give me a call immediately. My number is 858-577-3613. That's 858-577-3613.

10. On December 17, 2008 at 1:35 pm, the Plaintiff received the following message:

Hi. This message is for Amanda Meneo or John The Third. My name is Lamont Davenport. I need one of you guys to give me a call when you get this message. I have really important news for you. My number is 858-577-3613. That's 858-577-3613.

11. On December 17, 2008 at 2:08pm, the Plaintiff called Defendant and spoke with an individual identifying himself as Mr. Davenport.

12. On December 19, 2008 at 8:07 a.m., the Plaintiff received the following message:

Hey Amanda Meneo, this is Lamont Davenport. Look, I've been calling you leaving you messages. You're not returning the calls. I'm really trying to help you out here, but you are approaching the deadline. My number is 858-577-3613. That's 858-577-3613.

13. On December 19, 2008, Defendant telephoned Plaintiff's father.

14. On December 20, 2008, the Plaintiff received the following message:

Hi Amanda Meneo. I need you or John The Third to give me a call back.
I have excellent news for the both of you guys. My number is 858-577-3613. That's
858-577-3613.

V. FIRST CAUSE OF ACTION
FAIR DEBT COLLECTION PRACTICES ACT

15. Plaintiff repeat, re-alleges and incorporates by reference all other paragraphs.

16. In the collection efforts, Defendant violated the FDCPA, *inter alia*, §1692c(b), 1692e, 1692e(10), 1692e(11) and 1692f.

17. As a result of Defendant's illegal collection activity, Plaintiff suffered emotional distress, anxiety, anger, embarrassment, humiliation and unjustified invasions of privacy

18. As a result of Defendant's illegal collection activities, Plaintiff is entitled to recover statutory damages, actual damages, reasonable attorney's fees and costs pursuant to 15 U.S.C. § 1692k *et seq.*

JEFFREY L. SUHER, P.C.

By: /s/ Jeffrey L. Suher

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JURY TRIAL DEMANDED